

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

cc: 13C
Amend No. _____

Date Prepared: March 16, 2009

Council Meeting Date: April 21, 2009

TO: Carl Swenson, City Manager

THROUGH: Susan J. Daluddung, Deputy City Manager *SD*

FROM: Andrew Granger, P.E., Engineering Director *AG*

THROUGH: *J* Maher M. Hazine, P.E., CFM, Assistant City Engineer *MH*

PREPARED BY: Traci Varland, Sr. Permit Specialist *TV*

SUBJECT: Adopt a Resolution of Intention and a Resolution Ordering the Improvements for Maintenance Improvement District No. 1102, Creekside Estates.

RECOMMENDATION:

Discussion and possible action to approve the Petition for Formation and adopt the Resolution of Intention and Resolution Ordering the Improvements for the proposed Maintenance Improvement District No. 1102, Creekside Estates, located on 73rd Avenue north of Pinnacle Peak Road.

SUMMARY:

Pursuant to the provision of A.R.S. § 48-574, et. seq., Mayor and Council are empowered to adopt a Resolution Ordering the Improvements for formation of a Maintenance Improvement District. A Petition and Resolution of Intention are attached for formation of City of Peoria Maintenance Improvement District No. 1102, Creekside Estates Subdivision, located on 73rd Avenue north of Pinnacle Peak Road. In this special situation, in which all the property owners have presented a Petition for Formation, the ordinary publication and protest period are not required by law, and Council may then adopt a Resolution Ordering the Improvements when necessary, once the Resolution of Intention is first adopted. The Resolution Ordering the Improvements finalizes the formation of the Maintenance Improvement District process.

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- Consent Agenda
 - Carry Over to Date: _____
 - Approved
 - Unfinished Business (Date heard previous: _____)
 - New Business
 - Public Hearing: No Action Taken

ORD. # _____ RES. # 09-42 09-43
LCON# _____ LIC. # _____
Action Date: _____

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This action allows Council to direct City staff to assume maintenance responsibility if the Homeowner's Association fails. Maintenance includes landscape, irrigation, and drainage facilities, located adjacent to and within the public rights-of-way and common area tracts. The cost for the maintenance will be assessed on the respective owner's property tax bill within the Boundary Map (see Exhibit B) in accordance with the Arizona State Law.

ATTACHMENTS:

1. Petition for Formation
2. Proposed Resolution of Intention to Create
3. Proposed Resolution Declaring Intention to Order

SUPPORTING DOCUMENTATION
PERTAINING TO THIS
AGENDA ITEM IS ON FILE IN THE
OFFICE OF THE CITY CLERK